

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

RONALD L. SANFORD, JR.,

Petitioner,

v.

WARDEN,

Respondent.

CAUSE NO.: 3:18-CV-317-PPS-MGG

OPINION AND ORDER

Ronald L. Sanford, Jr., a prisoner without a lawyer, filed a habeas corpus petition challenging his prison disciplinary hearing in ISP 18-02-69 where a Disciplinary Hearing Officer (DHO) at the Indiana State Prison found him guilty of possession or use of a controlled substance in violation of B-202 on February 14, 2018. ECF 2 at 1. As a result, Sanford was sanctioned with the loss of 30 days earned credit time. *Id.*

After Sanford filed his petition, the finding of guilt and sanctions were vacated. ECF 11-1 at 1. The Warden has filed a motion to dismiss because this case is now moot. ECF 11. Sanford did not file a response and the time for doing so has passed. *See* N.D. Ind. L.R. 7-1(d)(2)(A). Regardless, the court cannot overturn the disciplinary proceeding and restore his time because the Indiana Department of Correction has already vacated the proceeding and restored his time. That is to say, Sanford has already won and there is no case left for this court to decide. Accordingly, this case must be dismissed. *See Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003) (prisoner can

challenge prison disciplinary determination in habeas proceeding only when it resulted in a sanction that lengthened the duration of his confinement).

For these reasons, the motion (ECF 11) is GRANTED and the case is DISMISSED. The clerk is DIRECTED to close this case.

SO ORDERED.

ENTERED: November 19, 2018

/s/ Philip P. Simon
PHILIP P. SIMON, JUDGE
UNITED STATES DISTRICT COURT